

REMARKS

Claims 1, 11, 12, 23 and 32 have been amended. Claims 8, 10, 20, 22 and 31 have been cancelled without prejudice or disclaimer. Claims 1, 9, 11, 12, 21, 23, 24, 26, and 32-38 are pending and under consideration. Claims 1, 12 and 32 are the independent claims. No new matter is presented in this Amendment. Proper support for the amendments to claims 1, 12 and 32 can be found in the specification, at least, at paragraphs [0046] and [0047].

EXAMINER INTERVIEW:

During the interview held on November 15, 2007, the rejection of claims 1, 12 and 32 was discussed. The Examiner indicated that the Office Action dated October 10, 2007 was confusing due to a lack of detail in explaining the Examiner's position. The Examiner stated that a more detailed explanation will be provided in the next Office Action. The Examiner also noted that subject matter recited in paragraphs [0046] and [0047] of the specification may contain allowable subject matter.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1, 9, 12, 21, 24, 26, and 32-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ohno et al. (U.S. Patent Application Publication No. 2002/0024923), in view of Maeda (U.S. Patent No. 5,337,295).

Applicants respectfully traverse this rejection for at least the following reason.

Regarding the rejection of independent claim 1, it is noted that claim 1 recites an information storage medium comprising: a user data area provided with a sequence of basic recording units to record user data, wherein information about the user data area, where user data is recorded, is recorded in at least one of a run-in area and a run-out area of each basic recording unit of the user data area, and wherein the information about the user data area includes layer information of the information storage medium recorded in the form of consecutive patterns of identical intervals or in the form of different patterns of different sized intervals.

Ohno discloses an optical information recording medium including a lead-in area (3), a

lead-out area (5) and a packet area (4) (paragraph 0056 and FIG. 1). Ohno further discloses that a single packet of the packet area (4) includes 1 link block, 4 run in blocks, 32 user data blocks, 1 address block, 10 dummy blocks and 2 run out blocks (paragraph [0057] and FIG. 2).

Ohno however makes no reference to the run-in blocks or the run-out blocks having layer information of the information storage medium, and in particular, Ohno fails to teach or suggest that the layer information is recorded in the form of consecutive patterns of identical intervals or in the form of different patterns of different sized intervals.

At most, Ohno discloses that the run-in blocks are run up portions for synchronizing with a sector of a CD-ROM disc and that the run-out blocks are a protection area of the user data blocks for connecting with a subsequent link block (paragraph [0018]).

Maeda on the other hand is relied upon solely for a teaching of a physical cluster and thus fails to cure the deficiencies of Ohno.

Accordingly, Applicants respectfully assert that the rejection of claim 1 under 35 U.S.C. §103(a) should be withdrawn because neither Ohno nor Maeda, whether taken singly or combined teach or suggest each feature of independent claim 1.

Regarding the rejections of independent claims 12 and 32, it is noted that these claims recite some substantially similar features as claim 1. Thus, the rejections of these claims are also traversed for the reasons set forth above.

Furthermore, Applicants respectfully assert that dependent claims 9, 21, 24, 26 and 33-35 are allowable at least because of their dependency from claims 1, 12 and 32 and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 9, 21, 24, 26 and 33-35 also distinguish over the prior art.

Claims 8, 10, 11, 20, 22, 23, 31, and 36-38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ohno et al., in view of Ito et al. (U.S. Patent No. 5,881,032).

Applicants respectfully traverse this rejection for at least the following reason.

Initially it is noted that claims 8, 10, 20 and 22 have been cancelled without prejudice or disclaimer of the subject matter recited therein. Accordingly, the rejection of these claims is moot.

Regarding the rejection of claims 11, 23, 31 and 36-38, it is noted that these claims

depend from independent claims 1, 12 and 32, and as noted above, neither Ohno nor Maeda, whether taken singly or combined, teach or suggest the novel features recited in the independent claims.

Ito on the other hand is relied upon solely for a teaching of sector addresses and thus fails to cure the deficiencies of Ohno and Maeda.

Accordingly, Applicants respectfully assert that the rejection of claims 11, 23, 31 and 36-38 under 35 U.S.C. §103(a) should be withdrawn because neither Ohno, Maeda nor Ito, whether taken singly or combined, teach or suggest each feature of independent claims 1, 12 and 32 from which claims 11, 23, 31 and 36-38 depend. Therefore, it is respectfully submitted that claims 11, 23, 31 and 36-38 also distinguish over the prior art.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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